

ESTTA Tracking number: **ESTTA467047**

Filing date: **04/13/2012**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Proceeding	92053622
Party	Plaintiff UMG Recordings, Inc.
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Submission	Motion to Consolidate
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Signature	/Jason D. Jones/
Date	04/13/2012
Attachments	Motion to Consolidate (F0992736).PDF ( 3 pages )(101193 bytes )

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD**

UMG RECORDINGS, INC.,

Petitioner/Opposer,

- against -

SIGGY MUSIC, INC.,

Registrant/Applicant.

Cancellation No. 92/053,622  
Opposition No. 91/200,616

**MOTION ON CONSENT TO CONSOLIDATE  
CANCELLATION/OPPPOSITION PROCEEDINGS**

Pursuant to Federal Rule of Civil Procedure 42(a) and Trademark Trial and Appeal Board Manual of Procedure Section 511, Petitioner/Opposer UMG Recordings, Inc., with the consent of Registrant/Applicant Siggy Music, Inc., hereby requests that Cancellation No. 92/053,622 (the “Cancellation”) and Opposition No. 91/200,616 (the “Opposition”) be consolidated. The Cancellation and Opposition involve identical parties and the same mark, as well as common and substantially overlapping facts, law, discovery and evidence. As such, consolidation of the proceedings would save considerable time, effort and expense.

Petitioner/Opposer further requests that the Cancellation and Opposition be governed by the discovery and trial schedule already set forth by the Board in connection with the Cancellation for all remaining dates as follows:

Initial disclosures due:	April 19, 2012
Expert disclosures due:	August 17, 2012
Discovery closes:	September 16, 2012
Plaintiff’s pretrial disclosures:	October 31, 2012
Plaintiff’s 30-day trial period closes:	December 15, 2012

Defendant/Counterclaim-Plaintiff's  
pretrial disclosures due: December 30, 2012

Defendant/Counterclaim-Plaintiff's 30-  
day testimony period closes: February 13, 2013

Counterclaim-Defendant/Plaintiff's  
rebuttal disclosures due: February 28, 2013

Counterclaim-Defendant/Plaintiff's 30-  
day rebuttal testimony period to close: April 14, 2013

Counterclaim-Plaintiff's Rebuttal  
Disclosures Due: April 29, 2013

Counterclaim-Plaintiff's 15-day rebuttal  
testimony period to close: May 29, 2013

Brief for plaintiff due: July 28, 2013

Brief for Defendant/Counterclaim-  
Plaintiff due: August 27, 2013

Brief for Counterclaim-Defendant and  
reply brief, if any, for Plaintiff due September 26, 2013

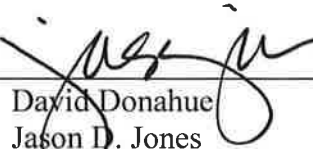
Reply brief, if any, for Counterclaim-  
Plaintiff due: October 11, 2013

Counsel for Respondent/Applicant, Charles W. Grimes, Esq., Grimes & Battersby, LLC,  
consented to this motion by email on April 13, 2012.

Dated: New York, New York  
April 13, 2012

FROSS ZELNICK LEHRMAN & ZISSU, P.C.

By: \_\_\_\_\_

  
David Donahue  
Jason D. Jones

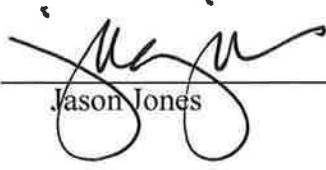
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New York, New York 10017  
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Attorneys for Petitioner/Opposer

**CERTIFICATE OF SERVICE**

I hereby certify that, on April 13, 2012, a copy of the foregoing **MOTION ON CONSENT TO CONSOLIDATE CANCELLATION/OPPOSITION PROCEEDINGS** was sent by first class mail postage pre-paid, and by e-mail, to Registrant's counsel of record as follows:

Charles W. Grimes, Esq.  
Jessica S. Rutherford, Esq.  
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Jason Jones